

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TERRENCE DAVIS,

Plaintiff

Case No. 3:22-cv-00188-RCJ-CLB

ORDER

v.

GONZALAZ, *et al.*,

Defendants

I. DISCUSSION

Pro se Plaintiff Terrance Davis began this action with a civil-rights complaint under 42 U.S.C. § 1983 and an application to proceed *in forma pauperis* (“IFP”). (ECF Nos. 1-1, 1). On May 3, 2022, this Court denied Davis’s IFP application because it was incomplete and not on the proper form and gave him until July 2, 2022, to file a new fully complete application with all three required documents. (ECF No. 3). On May 5, 2022, Davis responded by filing a new IFP application. (ECF No. 4). But Davis’s new IFP application is incomplete: the financial certificate provided (page 4 of the form application) has not been signed or dated by a prison official.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, to apply for IFP status, the inmate must submit all three of the following documents to the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate** this Court’s approved form (i.e. pages 1 through 3 with the inmate’s two signatures on page 3);
- (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court’s approved form), and
- (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period.**

As explained above, Davis’s IFP application is deficient because the financial certificate (page 4 of the form application) is not signed or dated by a prison official. The

1 Court will therefore deny Davis's IFP application but will grant him a **one-time extension**
2 to file a new fully complete IFP application containing all three of the required documents
3 **by August 13, 2022**. If Davis does not timely file a fully complete IFP application, this
4 case will be subject to dismissal without prejudice for Davis to file a new case with the
5 Court when he can comply with this requirement or pay the filing fee. The Court will retain
6 Davis's civil-rights complaint (ECF No. 1-1), but will not file the complaint unless and until
7 Davis timely files a fully complete IFP application or pays the filing fee.

8 **II. CONCLUSION**

9 IT IS THEREFORE ORDERED that the application to proceed *in forma pauperis*
10 (ECF No. 4) is denied without prejudice to file a new fully complete application with all
11 three documents **by August 13, 2022**.

12 Further, the Clerk of the Court is directed to:

- 13 • Send Davis a courtesy copy of his second application to proceed *in forma*
14 *pauperis* (ECF No. 4), the approved form application to proceed *in forma*
15 *pauperis* by an inmate, and the document entitled information and
16 instructions for filing an *in forma pauperis* application; and
17 • Retain the complaint (ECF No. 1-1) but not file it currently.

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19 DATED: July 13, 2022

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23 UNITED STATES MAGISTRATE JUDGE
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